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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 002360

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SUBJECT: IRAQ COMMITMENT TO FUND RULE OF LAW COMPLEX

REF: BAGHDAD 2239

Classified by Embassy Baghdad Rule of Law Coordinator James Santelle, reasons 1.4 (a), (b) and (d).

¶1. (C/REL MNF-I) SUMMARY: Minister of Finance Jabr signed a Foreign Military Sales Letter of Offer and Acceptance (LOA) in a ceremony at Baghdad's Rule of Law Complex on July 10. The LOA, when funded with Government of Iraq wire transfers in the coming days, will satisfy outstanding funding requirements for the Complex from August to December 2007. Iraqi officials present at the signing expressed support for the Complex, which they toured extensively prior to the ceremony. END SUMMARY.

Tour of Rule of Law Complex

¶2. (C/REL MNF-I) At the urging of National Security Advisor Mowaffak al Rubaie, six Iraqi officials toured the Rule of Law Complex on July 10. These were President of the Higher Juridical Council and Chief Justice of the Federal Supreme Court Medhat al-Mahmoud, Minister of Interior Jawad al Bulani, Minister of Finance Bayan Jabr, Acting Minister of Justice Safa al Safi, Deputy National Security Advisor Safa, and Commander of the Baghdad Operations Command Lieutenant General (LTG) Abud Kanbar. Multi-National Force Commander General Petraeus transported the officials from the International Zone to the site of the Complex in Baghdad's Rusafa district, personally accompanying them in command aircraft. General Petraeus also arranged for security of the party during the ground portions of the tour, which featured guided walks through the Complex led by Iraqi officials responsible for its separate police, safe-housing, jail, and judicial compounds. The Complex, constructed at the site of Baghdad's longtime Police Academy and Rusafa Jail, is designed to enable the major criminal justice institutions to work together free from intimidation or attack. Since beginning operations in May, the fully Iraqi Complex has received more than a thousand pre-trial detainees from crowded Iraqi Security Force facilities in Baghdad and Anbar, conducted judicial review of 1470 individual cases, released more than 200 detainees, and begun holding trials, including trials of major alleged criminals.

Foreign Military Sales LOA

¶3. (C/REL MNF-I) The tour culminated in a ceremony in the courtroom of the Complex, where Minister Jabr signed a \$48.8 million LOA committing Iraq to purchase security, life support, and other operations and maintenance services to keep the Complex in operation from 1 August to 31 December, the remainder of Iraq's fiscal year. Use of the LOA mechanism, which is authorized under the U.S. Arms Export Control Act and administered under the Foreign Military Sales program, ensures that Iraq will leverage the competitive

procurement capacity and contract oversight and administration of the United States. The LOA also ensures that security and logistics for the Complex will be maintained to the current high standards.

Most U.S. Funding No Longer Necessary

14. (C/REL MNF-I) The LOA meets almost all of the requirements for operation of the Rule of Law Complex. Exceptions include funds still programmed to train police investigators and Iraqi Corrections Officers, to complete construction on the permanent courthouse, and to secure and provide life support for judicial safe-housing. Iraq Security Forces Funds and Foreign Operations Appropriations remain programmed for training of investigators and corrections officers. Iraq Relief and Reconstruction Funds continue to be expended on the roughly \$10 million permanent courthouse currently being built within the Complex. Also, for the months of July, August, and September, \$1.4 million of Foreign Operations Appropriations managed by the Bureau of International Narcotics and Law Enforcement Affairs will be spent for security services and life support for the judicial safe-housing compound at the Complex. Continued U.S. funding of these items was incorporated into negotiation of the LOA. In particular, the \$1.4 million for judicial safe-housing made the LOA more politically acceptable for immediate signature across the ministries involved than it otherwise would have been. As a result, the comment of General Petraeus in reftel that no U.S. funding would be provided to the Rule of Law Complex after July 31 should be regarded as a means to instill a sense of urgency prior to the signing of the LOA and not a policy position precluding expenditure of continued U.S. funds.

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Ceremony and Expressions of Support and Pride by Ministers

15. (C/REL MNF-I) The tone during the signing ceremony in the courtroom was cheerful, with Iraqi officials smiling and applauding Minister Jabr's use of three additional signing pens, which he distributed to Bulani, Safa al Safi, and Medhat. The concern about ability to assume funding responsibility, described in reftel, had been replaced by confidence that all remaining tasks could be promptly accomplished to keep the Complex functioning. These tasks include the transmission of an order from Minister Jabr to the Governor of the Central Bank of Iraq, as well as actions by the Governor to implement that order. All Iraqi officials expressed appreciation to the coalition for assistance in establishing the Complex, openly thanking General Petraeus and others present at the ceremony, including the Rule of Law Coordinator Santelle and Law and Order Task Force Director Walther. The Iraqi officials also expressed pride in what is a genuine Iraqi achievement.

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